

The legal status of a child and a registered partnership

Abstract

The topic of this master thesis is the legal status of a child and a registered partnership. The aim is to outline the current concept and status of family and parenthood, but also to list differences between registered partnership and marriage. The work is focused on how the Registered Partnership Act met the needs of homosexual couples, and whether registered partners have limited rights in comparison with spouses. The master thesis examines the registered partners' legal options to have or take care of a child. The thesis also deals with adoption and alternative care, and states legal duties and rights between parents and children. In conclusion, it describes foreign homosexual partnerships regulation on the selected examples of Slovakia and France.

The thesis is divided into six chapters. The first chapter on family and parenting focuses on the role of the family in contemporary society and its recent development. It also briefly mentions parenting, assisted reproduction, and surrogate motherhood. The last part is focused on homosexual couples and their options while starting a family.

The second part deals with registered partnership in relation to marriage. It contains individual provisions of the Registered Partnership Act which are compared with the corresponding provisions of the Civil Code regarding marriage.

The third part examines the relationship between a parent and a child. Its main objective is to describe the mutual duties and rights between parents and children. It describes parental responsibility and its exercise, but also other mutual obligations and rights, with emphasis on the maintenance obligations.

The fourth part deals with adoption of a minor and adoption of a person with full legal capacity, followed by analysis of adoption by homosexual partners.

The fifth chapter contains the research in alternative family care, namely guardianship, foster care, and custody of another child—all in relation to same-sex couples.

The conclusion of the thesis refers to selected foreign legal regulations of registered partnership and marriage between homosexuals. It examines the legal regulations of homosexual partnership in Slovakia and France.

Key words

Family law

Parenthood

Legal status of a child

Registered partnership

Alternative family care

Adoption